

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 3-9, and 11-17 are currently pending. Claims 1, 3-9, 11, and 15 have been amended; and Claims 16 and 17 have been added by the present amendment. The changes and additions to the claims are supported by the originally filed specification and do not add new matter.

The amended and newly submitted claims are supported by the originally filed specification at least at page 15, lines 9-11; page 16, line 4 to page 17, line 3; and page 17, lines 4-11.

In the outstanding Office Action, Claims 1 and 3-8 were rejected under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential steps; Claims 1 and 3-8 were rejected under 35 U.S.C. § 112, second paragraph, regarding questions of indefiniteness; Claim 1 was rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement; Claims 1, 9, and 15 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,110,985 to Chase, Jr. et al. (hereinafter “the ‘985 patent”); Claims 3, 4, 6-8, and 10-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘985 patent in view of U.S. Patent Application Publication No. 2002/0026424 to Akashi (hereinafter “the ‘424 application”); and Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘985 patent.

Regarding the rejections of Claims 1 and 3-8 under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential steps. Claim 1 has been amended to address the informality noted in the outstanding Office Action. In particular, Claim 1 has been amended to recite, in part, that the license processing unit is configured to combine the first license information and the second license information. Accordingly, it is respectfully

submitted that the rejections of Claims 1 and 3-8 as being incomplete for omitting essential steps are rendered moot by the present amendments to Claim 1.

Regarding the rejections of Claims 1 and 3-8 under 35 U.S.C. § 112, second paragraph, as being indefinite, as discussed above, Claim 1 has been amended to recite, in part, that the license processing unit is configured to combine the first license information and the second license information. Accordingly, it is respectfully submitted that the rejection of Claims 1 and 3-8 as being indefinite is rendered moot by the present amendments to Claim 1.

Further, Applicant respectfully traverses the rejection of Claim 5 under 35 U.S.C. § 112, second paragraph. Applicant notes that the Office Action asks what is the “key information unique to said information processing apparatus.” It is respectfully submitted that one of ordinary skill in the art would clearly understand the key information recited in Claim 5.<sup>1</sup> Accordingly, Applicant respectfully traverses the rejection of Claim 5 under 35 U.S.C. § 112, second paragraph.

Regarding the rejection of Claim 1 under 35 U.S.C. § 112, first paragraph, it is respectfully submitted that the rejection of that claim is rendered moot by the present amendments to Claim 1.

Amended Claim 1 is directed to an information processing apparatus which can use operating content information within a range of usage conditions described in license information, comprising:

a storage unit configured to store first license information corresponding to the content information;

a receiving unit configured to receive second license information corresponding to the content information; and

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<sup>1</sup> For a non-limiting example, see page 32, lines 7-10 of Applicant's specification, which discloses that “the client 12 verifies the server's signature for each right file and then appends the signature to the linked right file by the private key owned only by the client.”

a license processing unit configured to determine whether the second license information is of an add attribute or an overwrite attribute, and to combine the first license information and the second license information based on the determination of whether the second license information is of the add attribute or the overwrite attribute,

wherein the content information is operated within a range of license information obtained by combining the first license information and the second license information, and

the storage unit is configured to store the license information obtained by combining the first license information and the second license information.

Regarding the rejection of Claim 1 under 35 U.S.C. § 102(e), the '985 patent is directed to content revocation and license modification in a digital rights management (DRM) system on a computing device. However, it is respectfully submitted that the '985 patent fails to disclose a license processing unit configured to combine the first license information and the second license information based on the determination of whether the second license information is of the add attribute or the overwrite attribute. Rather, as noted in the outstanding Office Action, the '985 patent discusses that a modification string includes identifying indicia and a modification script including a set of instructions to be processed with respect to a license.<sup>2</sup> Thus, the outstanding Office Action asserts that "*the instructions determines how the information should be processed (i.e. add or overwrite).*"<sup>3</sup> That is, the '985 patent simply discusses that a rendering license is acted upon in accordance with the modification information in the modification string.<sup>4</sup> The '985 patent does not disclose that the rendering license is acted upon *based on the determination of whether the second license information is of the add attribute or the overwrite attribute.*

Further, it is respectfully submitted that the '985 patent fails to disclose that the storage unit is configured to store the license information obtained by combining the first

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<sup>2</sup> See '985 patent, column 4, lines 27-36.

<sup>3</sup> See Office Action dated November 29, 2007, page 3.

<sup>4</sup> See '985 patent, column 4, lines 37-49.

**license information and the second license information.** Rather, the '985 patent discusses that when a carrier license is received that includes a modification string, the carrier license and the modification string are separated, with the carrier license being stored in the license store 38 and the modification string being stored in the secure store 40. Upon selection of a rendering license, the modification string is retrieved from the secure store and used on the rendering license.<sup>5</sup> The '985 patent does not disclose ***storing license information obtained by combining the first license information and the second license information.***

Accordingly, it is respectfully submitted that Claim 1 (and all associated dependent claims) patentably defines over the '985 patent.

Amended Claim 9, recites in part,

combining a part or all of said second license information with  
the first license information on the basis of a result of the  
determining; and

storing license information obtained by the combining of the  
first license information and the second license information.

As noted above, the '985 patent fails to disclose the license processing unit and the storage unit recited in Claim 1. Thus, the '985 patent fails to disclose the method of Claim 9. Accordingly, it is respectfully submitted that Claim 9 (and all associated dependent claims) patentably defines over the '985 patent.

Amended Claim 15 recites limitations analogous to the limitations recited in Claim 1, although of differing class and/or scope. Accordingly, for reasons analogous to the reasons stated above for the patentability of Claim 1, it is respectfully submitted that Claim 15 patentably defines over the '985 patent.

Regarding the rejections of dependent Claims 3, 4, 6-8, and 10-14, it is respectfully submitted that the '424 application fails to remedy the deficiencies of the '985 patent, as discussed above. Accordingly, it is respectfully submitted that dependent Claims 3, 4, 6-8,

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<sup>5</sup> See '985 patent, column 4, lines 37-49; and column 36, lines 50-61.

and 10-14 patentably define over any proper combination of the '985 patent and the '424 application.

The present amendment also sets forth new Claims 16 and 17 for examination on the merits. It is noted that these more detailed features are not disclosed or suggested by the applied references.

Thus, it is respectfully submitted that independent Claims 1, 9, and 15 (and all associated dependent claims) patentably define over any proper combination of the '985 patent and the '424 application.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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